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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,581	01/10/2002	Ann-Christine Eriksson	027557-100	5225
27045	7590	02/09/2006	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			NGUYEN, BRIAN D	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/041,581

Applicant(s)

ERIKSSON, ANN-CHRISTINE

Examiner

Brian D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/2/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities:

Claim 7, line 6, "a mobile station" seems to refer back to "a mobile station" in line 3. If this is true, it is suggested to change "a mobile station" to --the mobile station--.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the associated packet data flows" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ericsson Telefon (WO 99/05828).

Regarding claims 1-2 and 4-6, Ericsson Telefon discloses a method of controlling data flow in a telecommunications network in which a base station communicates with a mobile station using a plurality of packet data flows, the packet data flows having respective data flow rates, wherein the method comprises controlling data flow through the network by controlling the data flow rate of each packet data flow, an overall data flow rate to the mobile station and a data flow rate for each base station, wherein the packet data flow is controlled in dependence upon a quality of service level associated therewith, wherein the packet data flows are packet flow contexts, wherein the data flow for a base station is a BVCI connection, wherein the network is a GPRS network (see page 7, lines 17-26; page 8, lines 11-16; page 20, lines 1-21; page 21, line 6 to page 22, line 10).

Regarding claim 3, Ericsson Telefon discloses the packet data flows are channeled through respective buffers which are operable to receive, store and output data from the associated packet data flows, the packet data flows being controlled such that data output from the buffers is dependant upon the quality of service level for the packet data flow concerned (see page 21, line 6 to page 22, line 10 and the buffers in figure 11).

Regarding claims 7-8 and 10-12, Ericsson Telefon discloses a telecommunications network comprising a base station which is operable to communicate with a mobile station using a plurality of packet data flows associated with the mobile station, each packet data flow having a data flow rate, wherein the base station is operable to control data flow to a mobile station by controlling the data flow rates of the packet data flows associated with the mobile station concerned, wherein the packet data flow is controlled in dependence upon a quality of service level associated therewith, wherein the packet data flows are packet flow contexts, wherein the

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data flow for a base station is a BVCI connection, wherein the network is a GPRS network (see page 7, lines 17-26; page 8, lines 11-16; page 20, lines 1-21; page 21, line 6 to page 22, line 10).

Regarding claim 9, Ericsson Telefon discloses the packet data flows are channeled through respective buffers which are operable to receive, store and output data from the associated packet data flows, the packet data flows being controlled such that data output from the buffers is dependant upon the quality of service level for the packet data flow concerned (see page 21, line 6 to page 22, line 10 and the buffers in figure 11).

Regarding claim 13, Ericsson Telefon discloses a base station apparatus for use in a telecommunications network, the base station apparatus including a data flow control unit which is operable to control packet data flow communication with a mobile station by controlling the data flow rates of packet data flows associated with the mobile station concerned (see page 7, lines 17-26; page 8, lines 11-16; page 20, lines 1-21; page 21, line 6 to page 22, line 10).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Forslow (6,937,566); Suumaki et al (6,847,610); Puuskari (6,728,208); Monrad et al (6,438,122); Turunen et al (6,690,679); Haumont et al (2004/0071086) ; Lundin (2004/0037269); Rinne et al (6,711,141) ; Rinne (6,845,100).

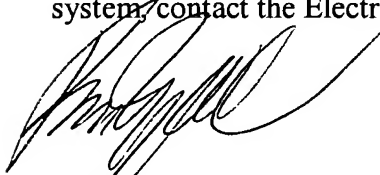
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D. Nguyen whose telephone number is (571) 272-3084.

The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



2/3/06

BRIAN NGUYEN
PRIMARY EXAMINER